

Administrative Order



Administrative Order No.: 7-39

Title: Employees Arrested On Duty or Off Duty

Ordered: 11/19/2002

Effective: 11/29/2002

AUTHORITY:

Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter and Sections 2-11.3, 2-42 (22), 2-47 of the Code of Miami-Dade County.

POLICY:

It is the policy of Miami-Dade County that all County employees who are arrested for any reason shall notify their Department Director or his/her designee of the arrest.

APPLICABILITY OF THIS ORDER:

This order shall be applicable to all Miami-Dade County employees.

PROCEDURE:

Any Miami-Dade County employee who is arrested on duty or off duty shall within a reasonable amount of time, not to exceed three (3) calendar days, notify the respective Department Director or his/her designee.

Upon notification of the employee's arrest, the department will immediately review the circumstances and take appropriate action, as required. When a classified employee is involved, the Department shall take action in accordance with County Code Sections 2-42 (22) and 2-47, the County's Personnel Rules and Administrative Order 7-3: Disciplinary Action. Exempt employees who are placed under arrest are governed by County Code Section 2-11.3. If necessary, the department should consult with the Employee Relations Department for guidance and assistance.

Failure of any employee to notify his/her department of an arrest shall result in administrative action up to and including dismissal from County service.

Any employee who is charged with a criminal violation (other than for a traffic violation) resulting from the performance of his/her assigned job duties, will continue to be governed by Administrative Order 7-13: Employee Arrested On Charges Resulting From Performance On Job. This Administrative Order provides a mechanism whereby County employees charged with criminal offenses as a direct

result of their performance or assigned job duties may obtain legal assistance from the County Attorney's office.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

Steve Shiver
County Manager